

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Felix Fogg Jr.

Docket No. 4:10-CR-84-1FL

Petition for Action on Supervised Release

COMES NOW Dwayne K. Benfield, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Felix Fogg, Jr., who, upon an earlier plea of guilty to Distribution of a Quantity of Cocaine, 21 U.S.C. § 841(a)(1), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 31, 2011, to the custody of the Bureau of Prisons for a term of 51 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years. The defendant's case was reassigned to the Honorable Louise W. Flanagan on October 30, 2014.

Felix Fogg, Jr. was released from custody on October 1, 2013, at which time the term of supervised release commenced.

On March 16, 2016, the defendant appeared before the court on a motion to revoke supervised release. The court continued the term of supervised release and modified the conditions to include participation in the STAR Court Program (Drug Court) and required the defendant to reside with his mother in Kinston, North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant's mother, Ana Benitez, was charged on June 6, 2016, with Misuse of the 911 System. Additionally, on June 9, 2016, she was charged with Resisting Public Officer and cited for Failure to Stop at a Steady Red Light. Subsequently, she was reportedly involuntarily committed to Wayne Memorial Hospital, Goldsboro, North Carolina, for a psychiatric evaluation. The defendant has located a residence in Greenville, North Carolina, and he is requesting approval for immediate relocation.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

Remove the condition requiring the defendant to reside with his mother in Kinston, North Carolina, and allow relocation to a residence approved by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer
201 South Evans Street, Suite 214
Greenville, NC 27858
Phone: 252-830-2336
Executed On: June 16, 2016

ORDER OF THE COURT

Considered and ordered this 17th day of June, 2016, and ordered filed and
made a part of the records in the above case.

Louise W. Flanagan
Louise W. Flanagan
U.S. District Judge